

STATE OF OKLAHOMA

2nd Session of the 47th Legislature (2000)

SENATE BILL 1386

By: Henry

AS INTRODUCED

An Act relating to schools; amending 70 O.S. 1991, Section 15-103, which relates to bonded indebtedness of school districts; modifying qualifications of voters in certain school district elections; allowing school districts to propose certain enabling question to voters of the district; allowing certain school districts to increase debt limit if enabled by voters of the district; deleting obsolete language; and providing conditional effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 70 O.S. 1991, Section 15-103, is amended to read as follows:

Section 15-103. On the question of issuance of said bonds, no person shall be qualified to vote unless ~~he be in all respects a school district elector of such district.~~ In the person is eligible to vote in school elections within the district pursuant to Section 13A-106 of Title 26 of the Oklahoma Statutes. Except as otherwise provided by law, in case three-fifths ~~(3/5)~~ of the voters thereof voting at such election shall vote affirmatively for the issuance of said bonds, then the said board of education shall issue the same and not otherwise. The amount of the bonds so voted upon and issued shall not cause the school district to become indebted in an amount, including existing indebtedness, in the aggregate exceeding five percent (5%) of the valuation of the taxable property therein, to be ascertained from the last assessment for state and county purposes previous to the incurring of such indebtedness; but if the school district has an absolute need therefor, such district may, with the assent of three-fifths ~~(3/5)~~ of the voters thereof, voting at such election, incur indebtedness to an amount, including existing

indebtedness, in the aggregate exceeding five percent (5%) but not exceeding ten percent (10%) of the valuation of the taxable property therein, to be ascertained from the last assessment for state and county purposes previous to the incurring of such indebtedness, for the purpose of acquiring or improving school sites, constructing, repairing, remodeling or equipping buildings or acquiring school furniture, fixtures or equipment or more than one or all of such purposes; and such assent to such indebtedness shall be deemed to be a sufficient showing of such absolute need. ~~Section 26, Article X, of the Oklahoma Constitution, as amended on April 5, 1955, shall hereafter be in full force and effect. Provided, that any bond election that shall have heretofore been called or held in accordance with the provisions of Section 26, Article X, of the Oklahoma Constitution, as amended on April 5, 1955, is hereby validated if the bonds so authorized at such election have not yet been sold and delivered.~~ Provided further, a school district, by resolution of the district board of education, may propose that the district be enabled to incur indebtedness not exceeding fifteen percent (15%) of the valuation of the taxable property therein for the purpose of acquiring or improving school sites, constructing, repairing, remodeling or equipping buildings, or acquiring school furniture, fixtures or equipment upon approval of the indebtedness by three-fifths of the voters of the district voting at any subsequent elections held for such purpose. If the enabling proposal is approved by a majority of the voters of the district voting at an election held for the purpose of considering the proposal, the district may thereafter, with the assent of three-fifths of the voters of the district voting in subsequent elections to be held for the purpose of incurring indebtedness, incur indebtedness not exceeding fifteen percent (15%) of the valuation of the taxable property therein for the purposes provided herein; and

such assent to such indebtedness shall be deemed to be a sufficient showing of absolute need.

SECTION 2. Section 1 of this act shall become effective upon the provisions of the constitutional amendment identified as Senate Joint Resolution No. ___ of the 2nd Session of the 47th Oklahoma Legislature becoming effective.

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